bsb

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 4816 OF 1997**

M/s. Deccan Paper Mills Ltd. ... Petitioner

V/s

1. Sarva Shramik Sanghatana

2. Shri S.G.Kadam, Member
Industrial Court, Pune. ... Respondents

Mrs. Meena H. Doshi for the petitioner.

Ms. Seema Sarnaik and Mr.S.B.Bambale Deshmukh for the respondent No.1.

**CORAM: SMT. NISHITA MHATRE, J.**

**DATED: 22ND OCTOBER, 2007.**

**P.C.**:

1. The petition challenges orders passed by the Industrial Court dated 30.7.1997 in Misc. Application Review (ULP) No.13 of 1997 and Misc. Application (ULP) No.5 of 1992. The petitioner has also sought cancellation of the recovery certificates issued pursuant to the aforesaid orders.

2. This petition was heard on several dates. Certain amounts have already been paid to the workmen by the petitioner. It is common ground now that

Rs.10,92,997.24 ps. is due and payable to the workmen on account of the impugned orders. The parties state that a certain amount has been deposited in the Industrial Court by the petitioner and that amount has been invested in a nationalized Bank. The amount, with the accumulated interest upto April, 2007, is Rs.4,68,971/-. The accumulated interest on that amount upto today would be much more.

3. The petition is disposed of as follows:-

(i) The petitioner shall pay an amount of Rs.10,92,997.24 ps., less the amount deposited by it in the Industrial Court, Pune, together with accrued interest upto today, within four weeks from today.

(ii) The respondent No.1 union shall issue a consolidated receipt in respect of the aforesaid amount to the petitioner.

(iii) The union is entitled to withdraw forthwith the amount deposited in the Industrial Court, Pune, together with accrued interest upto the date of withdrawal.

(iv) The respondent No.1 union shall distribute the amounts due and payable to individual workman under clauses (i) and (iii) and obtain receipts from each individual workman. These receipts shall be submitted to the petitioner within 12 weeks of the amount stated in clause (i) being paid to the respondent No.1 union.

3. Petition disposed of as aforesaid.

.....